

Wisconsin Pedestrian Planning Guidance

***Guidelines for Metropolitan Planning Organizations
and Communities in Planning and Developing
Pedestrian Facilities***

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Wisconsin Department of Transportation

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Introduction

Walking is one of the most common and elementary forms of transportation. We combine walking with almost every other mode of transportation and trip-making, whether it is to complete a commute trip made by car to a downtown parking location, or to walk to and from a bus stop, or to make a complete work trip from home to work by walking. In the planning process, it is also important to consider the other users of the pedestrian system, such as individuals using wheelchairs.

In Wisconsin, walking is still a very significant part of our work trip commutes. According to the 1990 census, 130,136 people in the Wisconsin work force commuted to work by walking. This constitutes 5.5% of all workers 16 years of age and older. This does not include elementary school children walking to school, college students walking to campus, and those individuals who walked part way to work, but whose primary means of transportation was another mode, such as transit. It should also be pointed out that the Census Bureau asks individuals their means to work for the last week of March, typically not a fair weather month for Wisconsin¹

Purpose

These guidelines will serve as guidance to Metropolitan Planning Organizations and larger communities as they develop pedestrian plans or elements to their overall transportation plans.

MPOs are required to complete a pedestrian element as part of their updated transportation plans. These guidelines are intended to assist Metropolitan Planning Organizations (MPOs) and communities in developing pedestrian plans. This work is to be completed by December of 1994. Currently, most metropolitan plans do not contain a pedestrian element. The MPOs have traditionally only served an advisory role to local governments in the implementation of relevant pedestrian-related ordinances, policies and standards.

These guidelines set forth recommendations for a proposed process and possible contents of a pedestrian plan, given that very little has been written on planning processes for pedestrian facility accommodation. Several states have just recently endorsed state pedestrian plans. Those plans were consulted in the development of these guidelines.

The following summarizes the recommended elements of a pedestrian plan. The pedestrian guidelines recommend the following components: goals/objectives, current conditions and inventory of existing facilities, facility planning, education/enforcement, land use/site design, and implementation.

¹According to the National Weather Service, the weather for Madison for the last week of March in 1990 was slightly cooler than average (47 degrees for the daily high and 26 degrees for the low).

Goals and Objectives

Plan goals and objectives should address facility development and financing, the interfacing with other modes, education, enforcement, and encouragement.

In general, goals should address the needs of the different types of pedestrians, facility development, facility financing and implementation, public participation, education/enforcement, encouragement, and pedestrian interfacing with other modes. WisDOT will eventually be providing goals and objectives as part of its strategic planning and statewide pedestrian planning processes, but local goals may be established in advance or as an addition to the state goals.

Current Conditions and Inventory

A pedestrian plan's inventory section should include a summary of an area's current pedestrian facility practices and ordinances, as well as an analysis of pedestrian-motor vehicle crashes.

One of the first steps in the consideration of pedestrian transportation is to identify current policies regarding pedestrian issues, and to estimate current pedestrian usage. Pedestrian treatments and practices vary substantially, especially among suburbs. The following work items should be included in this step:

*What are the current practices of communities within MPO areas with regard to sidewalk provision? What types of ordinances do local communities have that govern sidewalk construction? Do communities have a snow removal and/or maintenance ordinances?

*The pedestrian plan should provide estimates of the number of pedestrians and the locations where walking is a major mode of transportation. Such information will be available through a combination of census data and various surveys that may need to be conducted.

*Each plan should include an analysis of the pedestrian-vehicle crashes and a location of where the crashes occurred. This may indicate road segments and intersections that need immediate remedial treatment. There should be some sensitivity to the type of user (elderly, disabled, child, adult) involved in the crashes so countermeasures, and possibly the design of facilities, could take

Americans with Disabilities Act

The Americans with Disabilities Act (ADA) of 1990 requires the accessibility of public accommodations to people with disabilities.

Included are restaurants, hotels, theaters, doctors' offices, retail stores, libraries, private schools, government buildings, etc. Transportation facilities, such as buses and trains, are also covered. Guidelines are now available from the National Standard Institute covering aspects of ADA. The Federal Register (Vol. 57, No. 245, December 21, 1992) proposed rules, including ADA requirements for public rights-of-way (sidewalks, curb ramps, crossing controls, etc.).

this into consideration. The WisDOT Bicycle/Pedestrian Safety Program Manager can assist MPOs in accessing and interpreting these data.

*The plan should summarize the current cost sharing policies for pedestrian facilities of WisDOT and local communities. WisDOT's sidewalk policy for cost sharing is included in the Appendix and is excerpted from WisDOT's Program Management Manual, January, 1991.

*Many communities maintain inventories of sidewalk conditions, including identification of tripping hazards and deteriorated sidewalk segments. MPOs should utilize such data from the local communities they represent when available. The MPOs should encourage communities to conduct such hazard inventories and keep them updated annually.

Facility Planning

These guidelines recommend that the most effective means of ensuring that the most common pedestrian facility - the sidewalk - be provided, is by local government policy creation. Other pedestrian facilities such as pedestrian under/overpasses, connections between subdivisions, and critical retrofit projects should be individually identified in the plan.

Pedestrian facility planning on a metropolitan level is much less a system planning effort than it is one that can be appropriately and effectively handled through the development of policies and design standards. Unlike bicycle facility planning, where bicycle routes and improvements are determined using a lengthy list of planning criteria, most of the walkway provisions can be handled through policy development. The adoption of sidewalk policies are especially important given the unusually controversial nature of retrofitting sidewalk facilities in existing developments. Decision-making for community leaders for retrofit projects becomes very political as residents object to both the special assessments likely to be levied for the improvements and the disturbance of the right-of-way area for the proposed sidewalk that residents have now come to regard as their own property. MPOs and communities are encouraged to seek consideration and adoption of policies such as:

*All urban streets and bridges should have sidewalks. Table 1 on page 8 provides guidelines for the installation of sidewalks based on land use, roadway functional classification, and in the case of residential areas, dwelling unit density. The source of Table 1 is - "Investigation of Exposure Based Pedestrian Accident Areas: Crosswalks, Sidewalks, Local Streets and Major Arterials" FHWA-RD-88-038, September, 1988.

*Where at all possible, arterials and collectors in urban and suburban areas should be retrofitted to include sidewalks on both sides, especially those that serve schools, commercial areas, recreational areas, office complexes, and bus routes (see Table 1). Critical retro-fit projects should be identified in the plan.

*The design of pedestrian facilities must consider the full range of pedestrians - from children to the elderly to the physically disabled.

*When considering the placement of marked crosswalks, the evaluation of types and locations of pedestrian crashes should be evaluated to help establish the need for additional marked crosswalks.

*The pedestrian plan should consider the processes needed to fund and time the development of pedestrian projects. The plan could recommend the development of a capital plan for the replacement and retrofit of sidewalks.

*The development and revision of subdivision and zoning ordinances should encourage pedestrian-friendly site-design measures, like connections between abutting subdivisions or adjoining cul-de-sacs. Similarly, land use plans and zoning ordinances should encourage mixed-use developments, making walking between uses more practical and attractive.

*Pedestrian accommodations should be considered in the planning for the integration of other modes, especially transit. For instance, all transit stops and park and ride lots should be easily accessible by foot.

*Pedestrians should be considered in the placement or retrofit of over/under-passes needed to connect existing or proposed developments that are currently separated by significant barriers. Because of the extreme cost of these facilities, the need and location should be specified in the plan.

*The pedestrian plan should reference and consider the location of different types of pedestrian-friendly design treatments such as small "bulb-shaped" extensions of sidewalks at intersections, pedestrian islands, and traffic calming circles in residential areas.

Many communities, including Milwaukee, West Allis, Wauwatosa, Eau Claire, etc., have adhered to strong sidewalk policies and today need comparatively little retrofit work. But even in these communities some improvements need to be done, such as the need to make grade separations to provide bicycle and pedestrian access over major barriers such as the freeway system, to continue making sidewalk ramps at corners, and to improve pedestrian safety and circulation through the provision of pedestrian signalization.

*There are various sources for design standards, including the WisDOT Facilities Design Manual, the Manual of Uniform Traffic Control Devices, the AASHTO Green Book, and the I.T.E. Residential Street Design and Traffic Control. These manuals will provide detailed design information including recommended and minimum widths of sidewalks, their placement relative to the street location, crosswalk design and warrants, pedestrian signage, etc.

*Wisconsin State Statute 66.615 provides enabling language for cities, villages, and towns in Wisconsin to allow them to regulate the development of sidewalks and to assess their costs to the public. State Statute 66.616 requires the provision of curb ramping where sidewalks are constructed and establishes design requirements for them.

There are many other good practices or pedestrian accommodations that should be recommended in a community or MPO pedestrian plan, but rely more on the design stage for their appropriate consideration. Some of these practices include more obvious considerations, like proper street and walkway lighting, but also include the less obvious considerations like the design of facilities that incorporate the needs of the different users and their particular human factors (e.g. walk lights that

are timed for elderly or disabled populations, push-buttons that can be easily used by children and those with arthritis, ramps and cut-aways that encourage use, etc.).

Education and Enforcement

Education and enforcement efforts have proven themselves as effective countermeasures to many crash types. Crashes, levels of enforcement, existing pedestrian education efforts, and recommended countermeasures should be discussed in the plan.

While the development of pedestrian facilities is one way to enhance pedestrian safety, there are some pedestrian/vehicle crashes that can be countermeasured through education and enforcement. Here are some items that should be included in an education and enforcement element of a pedestrian plan:

- *An analysis of pedestrian crashes/accidents to identify crash locations and target groups (much of this work may have already been conducted as part of the "Current Conditions and Inventory" section of the plan, but in that section the planner did the evaluation to help discern the type and location of pedestrian facility improvements, while this element focuses on the same data to consider education and enforcement countermeasures).

- *Summary of the general level of enforcement.

- *Summary of pedestrian education programs in school systems, including safe route home programs.

- *Strategies to mitigate the incidence of crashes at high crash locations through countermeasure efforts.²

The Appendix includes a supplementary guide - "Developing The Safety Component of A Pedestrian Plan" - that will be of benefit to planners developing this element.

Land Use and Site Planning

The practicality of pedestrian trips is dependent on the closeness of potential destinations. A pedestrian plan, and its implementation, rests on how well it is integrated with an area's land use plan, zoning, subdivision ordinance, and plat and site design review processes.

The shorter the trip the more feasible it is as a walking trip. Higher density mixed use development

²For instance, if a given location has been identified as a high crash area for pedestrian and motor vehicles, especially among children, the appropriate countermeasures may be a safe route program, pedestrian education efforts in the school, and enforcement of motor vehicle laws.

creates more opportunities for residences to be close to places of business. Land use plans and zoning, developed with attention to the needs of pedestrians, will likely include neighborhood commercial and mixed-use development districts. Conversely, the intensification of commercial land uses in malls or series of strip malls is typically not pedestrian-friendly because of the long meandering parking lots and the lack of suitable pedestrian connections between commercial complexes. Here are examples of other land-use related considerations:

*Regional and local land use plans are some of the most important documents to consider the overall circulation needs of the pedestrian.

*Plans should outline how zoning, subdivision ordinances and other techniques³ can be adapted to require and allow more pedestrian-friendly site designs. The provisions for the placement and aesthetic treatment of parking lots is one of the most important design considerations.

*Plans should call for those local policies, plat reviews, site design review processes, and subdivision ordinances that will ensure that new development is connected to parks, transit, shopping facilities, and other subdivisions. Pedestrian cross connections can often occur between adjoining subdivisions, and connect cul-de-sacs or commercial areas without the need for pedestrians to take a more circuitous route along arterials or collectors.

Implementation

The development of local policies and their appropriate application will do more to improve conditions for pedestrians than other measures. WisDOT will promote the use of sidewalks through the appropriate construction of them on its own facilities.

The implementation of pedestrian facility development and accommodation will take place primarily at the local level through zoning ordinances, sidewalk and subdivision ordinances, the enforcement of state laws and the proper design of transportation facilities. The following represents several implementation measures.

*WisDOT will be reviewing its policies and practices associated with the provision and design of pedestrian facilities (WisDOT's sidewalk cost sharing policy is on page 13 in the appendix). WisDOT will be encouraging MPOs and communities to adopt these same policies and practices.

³There are a number of techniques in Wisconsin that can be used to manage the interaction of land uses and the adjacent transportation network. According to an issue paper prepared as part of the **Dane 2020** planning effort, there are two basic groups of techniques -- detailed site design review/approval processes and explicit site design standards. Planned Unit Development review and/or Urban Design Commission approaches (as used by Madison and Middleton) are examples of detailed site design review and approval processes while the more traditional Conditional Use permitting process can be customized to implement explicit site design standards.

*WisDOT will also make available model sidewalk policies, zoning and subdivision ordinances, and examples of mixed used developments that promote pedestrian use.

*WisDOT will provide pedestrian safety program assistance to communities and MPOs beginning to implement recommendations of the pedestrian plan. This assistance can be of particular help in establishing local demonstration programs, including the hiring of a safety/promotion bicycle and pedestrian coordinator.

*The implementation of pedestrian facility development recommendations can be funded through a number of ISTEA programs.

Citizen Participation

Citizen interest and input can be obtained by conducting public meetings or forming an advisory committee. Several metropolitan areas already have pedestrian committees in place.

Public participation in the planning process is essential and should begin early in the process. A meeting should be held with citizens and interested pedestrian group representatives at the beginning of the planning process to invite public comment and discuss further public involvement.

Community input can be obtained and citizen interest in the plan piqued by conducting public meetings or forming an advisory committee. The creation of an advisory committee is the most effective means of gaining input from bicyclists and other interested organizations. Two state associations - Parents Encouraging Driving Safely (P.E.D.S.) and Wisconsin Association of Women Highway Safety Leaders - have members scattered throughout Wisconsin. Additionally, many metropolitan areas have pedestrian groups or committees already in place.

TABLE 1
GUIDELINES FOR INSTALLING SIDEWALKS

Land-Use/Roadway Functional Classification/ <u>Dwelling Unit</u>	<u>New Urban and Suburban Streets</u>	<u>Existing Urban and Suburban Streets</u>
Commercial & Industrial (All Streets)	Both sides.	Both sides. Every effort should be made to add sidewalks where they do not exist and complete missing links.
Residential (Major Arterials)	Both sides.	Both sides.
Residential (Collectors)	Both sides.	Multifamily - both sides. Single family dwellings - prefer both sides; require at least one side.
Residential (Local Streets) More than 4 Units Per acre	Both sides.	Prefer both sides; require at least one side
Residential (Local Streets) 1 to 4 Units Per Acre shoulder on both sides required.	Prefer both sides; required at least one side.	One side preferred, at least 4-ft.
Residential (Local Streets) Less Than 1 Unit Per Acre	One side preferred, shoulder both sides	At least 4-ft. shoulder on both sides required.

NOTES:

- 1) Any local street within two blocks of a school site that would be on a walking route to school - sidewalk required on at least on side.
- 2) Sidewalks may be omitted on one side of new streets where that side clearly cannot be developed and where there are not existing or anticipated uses that would generate pedestrian trips on that side.
- 3) Where there are service roads, the sidewalk adjacent to the main road may be eliminated and replaced by a sidewalk adjacent to the service road on the side away from the main road.
- 4) For rural roads not likely to serve development, a should at least 4 feet in width, preferably 8 feed on primary highways should be provided. Surface material should provide a stable, mud-free walking surface.

Appendix A: Developing The Safety Component of A Pedestrian Plan

Introduction

Each year in Wisconsin approximately 2,100 pedestrians are injured or killed in traffic crashes⁴ involving motor vehicles. Half of the pedestrians injured or killed in Wisconsin (51%) are school-aged children (aged 19 and younger), and one-fourth of all pedestrians killed are aged 75 or older.

Research shows that pedestrian crashes are not random, unrelated events. They are situations that occur over and over--situations in which the motor vehicle operator, the pedestrian, or both make errors that threaten the pedestrians' life and safety. These are situations that could be avoided. The National Highway Traffic Safety Administration (NHTSA) analyzed 12,000 pedestrian crashes and determined the six most common types of pedestrian crashes. They are:

- Dart out**--the pedestrian appears suddenly, usually from between parked cars.
- Intersection Dash**--the pedestrian runs across the intersection, is seen too late by the driver, and is struck.
- Multiple Threat**--a vehicle stops for a pedestrian who is crossing and the halted vehicle blocks the pedestrian from the view of the driver of an overtaking vehicle.
- Bus Stop Related**--a pedestrian crosses in front of a stopped bus which screens the person from the view of the driver of an overtaking vehicle.
- Backing Up**--a pedestrian is struck by a backing vehicle.

Analyzing records of pedestrian crashes has allowed researchers to develop a number of programs designed to promote pedestrian safety. These programs are designed to teach pedestrians and motorists the skills necessary to avoid the "critical errors" most commonly associated with pedestrian/motor vehicle crashes.

While the development of pedestrian facilities (sidewalks, overpasses, underpasses, signals, etc) is one way to enhance pedestrian safety, clearly there are some pedestrian crashes that can only be countermeasured through education and enforcement programs. Thus a comprehensive pedestrian plan must include components covering education for both pedestrians and motorists driving around pedestrians and enforcement of rules of the road for both pedestrians and motor vehicle operators.

⁴Throughout this narrative I use the term 'crash' instead of 'accident' to refer to pedestrian/motor vehicle collisions. A 'crash' is a countermeasurable event.

Target Audience

Pedestrian safety programs need to be developed for a target audience. Programs may be developed for four types of pedestrians: the child pedestrian, the average adult pedestrian, the drug or alcohol-impaired pedestrian and the older adult. The bulk of research completed to date has been focused on developing educational programs targeted for child pedestrians. However there are some programs in existence designed to educate older adults on how to become safer walkers. General educational materials designed to promote pedestrian safety for adults also exist. And there is a growing awareness of the problem of alcohol-impaired pedestrians who are injured or killed in crashes with motor vehicles.

Child Pedestrians

The ideal program to educate children about pedestrian safety is one that is integrated through the school system and which is supported by children's parents. The Wisconsin Department of Transportation has resources on a number of pedestrian safety curriculums used throughout the country. You may obtain information about these curriculums by contacting the WisDOT Office of Transportation Safety (OTS) Pedestrian/Bicycle Safety Program at 608/267-3155. Research shows that school-based curriculums often show results in terms of a positive change in children's knowledge, as measured on pre and post tests, however, when children's pedestrian behavior is measured (i.e. crossing at crosswalks, obeying traffic laws), there is often only a short-term improvement immediately following the safety program.⁵ However, if the school curriculum is supplemented with parents' follow-up messages to children, then studies show that children's behavior does change.

Oftentimes, pedestrian safety for children is that child's introduction to traffic safety and the rules of the road. Educational programs for children must keep in mind children's limited perceptual abilities.⁶ At an early age it is less important to try to teach children **why** they need to stop at the curb and look left, right, and left again before crossing the street. Rather, educational programs for this age group need to concentrate on simply repeating traffic rules which children must obey.

Average Adult Pedestrian

For the most part this group of pedestrians understands the rules of the road and is capable of functioning efficiently in traffic. Average adult pedestrians may benefit from public information and education programs designed to promote pedestrian safety. This includes promoting pedestrian safety through the use of public service announcements on television and radio, brochures and articles in local newspapers and journals. Many good educational resources are produced by the WisDOT (brochures, PSA's, manuals--also available at OTS), but unless these materials are promoted at the local level, their message will be lost. In addition, this type of pedestrian will

⁵Seattle Harborview research.

⁶The film, "Children in Traffic" is an excellent resource on children's perceptual abilities and their behavior in traffic.

benefit from general efforts to include information on pedestrian safety in all traffic safety materials, including driver's ed training, driver licensing exams, etc.

However, average adult pedestrians may deliberately disobey traffic laws i.e. jaywalk, because they find them "inconvenient". Educational programs will probably have little effect on the "scofflaw" pedestrian; however, you may be able to change their behavior through enforcement programs. Many communities with large populations of adult pedestrians implement pedestrian law enforcement programs, targeting violations that lead to pedestrian/motor vehicle crashes, i.e. failure to yield to a pedestrian in a crosswalk (on the part of a motorist), and jaywalking (for pedestrians).

Alcohol-Impaired Pedestrian

Wisconsin DOT recently completed an analysis of five years of pedestrian crash data, which found that approximately 25% of all pedestrian fatalities were alcohol-impaired. The alcohol-impaired pedestrian looks very much like the alcohol-impaired driver, a male in his late 20's, who is killed while out walking late on a weekend night. Because the alcohol-impaired pedestrian has been recently discovered as a traffic safety problem, few tried and true countermeasures exist to tackle this problem, but it is important to consider this population when analyzing pedestrian crashes.

Older Adults

This type of pedestrian will benefit from targeted programs developed specifically for older adults. Programs at senior centers are particularly successful. It is important that programs for older adults rely on the active participation of older adults in the development and implementation of the program. Older adults generally obey traffic laws, but are still involved in pedestrian crashes because of reduced physical and motor skills. Older adults are over-represented in pedestrian fatalities because of their bodies' declining ability to recover from severe trauma.

The Motor Vehicle Operator

In addition to benefiting from programs targeting pedestrians, all pedestrians will benefit from public information programs designed to educate motorists about their responsibilities in yielding the right of way to pedestrians in both marked and unmarked crosswalks.

In any pedestrian safety program it is very important to include both educational and enforcement programs targeted at motor vehicle operators. Research shows that one-third to two-thirds of all pedestrian-motor vehicle crashes are caused by critical errors on the part of motor vehicle operators. Motor vehicle operators must be educated about pedestrians' rights. An educational campaign promoting the idea of "Wisconsin is a Pedestrian Rights State" is recommended. Wisconsin statutes clearly state that pedestrians do have the right of way when they are walking in marked or unmarked crosswalks, but both pedestrians and motorists need to be educated about what this means. Highly publicized selective enforcement programs aimed at citing motor vehicle operators for violating pedestrians' rights may be an effective way of communicating to the motoring public that they must yield to pedestrians.

Summary

When a three-E pedestrian safety program becomes part of a Master Transportation Plan, integrated with other programs (e.g. sidewalk maintenance programs) or within an overall traffic safety plan, supported by organizations and promoted through the media, pedestrian safety can become institutionalized in the community. This should, in turn, modify the behaviors of drivers and pedestrians and lead to a reduction in the number of pedestrian-motorist collisions.

Historically, the most effective pedestrian crash countermeasures have been instituted at the local level rather than the State or Federal levels. Pedestrian safety programs can be introduced systematically involving all segments of the community in strategies designed to take into account the unique values and needs of the community. To have a long-term and sustained effect on the community, this comprehensive, integrated effort will require that pedestrian safety leadership involve city and county planners, law enforcement personnel, teachers, business people, parents, members of civic organizations, traffic safety professionals, and many others.

Recommended Resources

- Section of the WisDOT, OTS Highway Safety Plan--Pedestrian/Bicycle Safety
- Evaluating Traffic Safety Programs: A Manual for Assessing Program Effectiveness** by Frederick M. Streff, Ph.D. The University of Michigan-Transportation Research Institute.

Appendix B: WisDOT's Cost Sharing Policy

6.2.3 Cost of Conditioning and Maintenance -

The cost for conditioning and maintenance of a designated detour route(s) (Wis. Stats., 84.02(10)) is not eligible.

6.2.4 Payment For/Or Repair of Damages -

Payment for/or repair of damages to roads or streets caused because of their use in hauling materials incident to the improvement (Wis. Stats., 84.20) are not eligible.

6.2.5 Resurfacing

Resurfacing is considered an improvement and therefore WisDOT's responsibility if the mat is continuous and more than 2 inches deep. Intermittent mats and mats of 2 inches or less are considered maintenance and the responsibility of the local jurisdiction.

6.2.6 Project Costs -

Other project costs not specifically listed above are eligible at the same rate as if the items were on a State Trunk Highway project.

6.3.0 PROJECT COSTS ELIGIBLE FOR STATE FUNDING

Some project costs are eligible for state or federal funding on urban non-freeway projects for a State Trunk Highway. Eligible for funding means that only certain costs qualify for state or federal monies. Urban means the project has an urban cross section where urban type development exists or a section where urban type development is planned, or may reasonably be expected. Local agreements are required for all projects that involve participation.

6.3.1 Street Construction -

All usual items of street construction (grading, paving, etc.) which are an integral part of a construction project are eligible.

6.3.2 Preconstruction Engineering -

All preconstruction engineering costs which are necessary for the construction project are eligible except as noted in 6.2. 1.

6.3.3 Right-of-Way -

The acquisition of the necessary right-of-way in order to construct the project is eligible.

6.3.4 Sidewalks -

Replacement sidewalks necessitated by street/road construction are eligible if the local jurisdiction agrees to accept responsibility for sidewalk repair, maintenance, and

replacement (other than that caused by future highway projects).

Where sidewalks do not already exist, provision will be made for sidewalks as part of the project design for all reconstruction and recondition type projects at state expense. Provision for new sidewalk consists of purchasing the right-of-way and grading a berm so that a sidewalk may be installed.

Provisions for future or present sidewalks will be made during project planning and construction. These costs are eligible. Exceptions to provisions for sidewalk are allowed in cases when real estate costs are prohibitive and the local jurisdiction does not anticipate a need or a desire for sidewalks.

WisDOT will participate in costs of new sidewalks only if they are installed at the time of project construction. Costs of continuous sidewalk constructed to DOT standards and installed at the time of project construction are 75 percent eligible. Where an alternate design acceptable to the Department is installed, 75 percent of the cost equivalent to a sidewalk meeting DOT standards is eligible, not to exceed 75 percent of actual costs. Any additional costs of installing the alternative design are not eligible.

WisDOT will provide reasonable sidewalk access over bridges (one side or two) when sidewalks exist on either end of the bridge.

6.3.5 Driveways -

When replacement driveways are necessitated by street or road construction and there is a sidewalk, concrete from curb to sidewalk and replacement in kind beyond the sidewalk is eligible. When there is no sidewalk, replacement in kind beyond the curb is eligible. New driveways are not eligible.

6.3.6 Storm Sewer -

Laterals are eligible. Trunk line sewers needed to accommodate surface water naturally flowing to the street are fully eligible in the ratio that the estimated cost of the sewer needed to accommodate the water naturally flowing from the street bears to the total estimated cost of the sewer to be constructed.

6.3.7 Street Lighting -

Replacement street lighting necessitated by the street or road construction is eligible if the affected jurisdiction(s) agree to accept responsibility for the energy, operation, maintenance, and replacement of the lighting system (including associated costs). In urban areas, provided the affected local jurisdiction(s) agree to accept responsibility for the energy, operation, maintenance, and replacement of the lighting system (including associated costs), new continuous street lighting designed to national standards adopted by WisDOT is 50 percent eligible.

WisDOT will participate in the costs of new continuous street lighting only if they are installed at the time of project construction, except as it may qualify under special funding programs specifically for lighting. Where an alternate design acceptable to WisDOT is installed, 50 percent of the cost equivalent to lighting meeting WisDOT standards is eligible, not to exceed 50 percent of actual costs.

6.3.8 Landscaping -

Landscaping is 75 percent eligible when placement is in the right-of-way or when the local jurisdiction arranges for placement on private property in cases where there is insufficient space in the right-of-way.

Landscaping will be consistent with the adopted WisDOT standards (limited to trees and shrubs as appropriate). It shall be designed as part of all urban projects provided the local jurisdiction or property owner accepts responsibility for the maintenance of the landscaping items.

Where possible, landscaping design should be consistent with the community's landscaping practices.

6.3.9 Traffic Signals -

Traffic signals necessary and warranted for the safety and efficient flow of traffic within the construction project limits are eligible.

6.3.10 Street Signs, 'Parking Meters and other Items Not Essential for Service to Moving Traffic -

Any item not necessary for the safe and efficient movement of traffic are not eligible for state or federal funding.

6.3.11 Installations -

New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire, or police alarm facilities, parking meters, and similar utilities are not eligible.

Appendix C: Pedestrian-Related State Statues

PEDESTRIAN LAWS

The statutes in this material have been generated from the original data base of Wisconsin Statutes updated through 1995 Wisconsin Act 459, but may not be an exact duplication. Please refer to the Wisconsin Statutes for the official text.

340.01 Words and phrases defined. In s. 23.33 and chs. 340 to 349 and 351, the following words and phrases have the designated meanings unless a different meaning is expressly provided or the context clearly indicates a different meaning:

(10) “Crosswalk” means either of the following, except where signs have been erected by local authorities indicating no crossing: (a) *Marked crosswalk.* Any portion of a highway clearly indicated for pedestrian crossing by signs, lines or other markings on the surface; or (b) *Unmarked crosswalk.* In the absence of signs, lines or markings, that part of a roadway, at an intersection, which is included within the transverse lines which would be formed on such roadway by connecting the corresponding lateral lines of the sidewalks on opposite sides of such roadway or, in the absence of a corresponding sidewalk on one side of the roadway, that part of such roadway which is included within the extension of the lateral lines of the existing sidewalk across such roadway at right angles to the center line thereof, except in no case does an unmarked crosswalk include any part of the intersection and in no case is there an unmarked crosswalk across a street at an intersection of such street with an alley.

(43) “Pedestrian” means any person afoot or any person in a wheelchair, either manually or mechanically propelled, or other low-powered, mechanically propelled vehicle designed specifically for use by a physically disabled person.

(43g) A Person with a disability that limits or impairs the ability to walk means any person with a disability as defined by the federal Americans with Disabilities Act of 1990, 42 USC 12101 et seq., so far as applicable, or any person who meets any of the following conditions:

(a) Cannot walk 200 feet or more without stopping to rest.

(b) Cannot walk without the use of, or assistance from, another person or a brace, cane, crutch, prosthetic device, wheelchair or other assistive device.

(c) Is restricted by lung disease to the extent that forced expiratory volume for one second when measured by spirometry is less than one liter or the arterial oxygen tension is less than 60 millimeters of mercury on room air at rest.

(d) Uses portable oxygen.

(e) Has a cardiac condition to the extent that functional limitations are classified in severity as class III or IV, according to standards accepted by the American Heart Association on May 3, 1988.

(f) Is severely limited in the ability to walk due to an arthritic, neurological or orthopedic condition.

(g) Has a degree of disability equal to that specified in pars. (a) to (f).

(43m) “Play vehicle”: (a) Means a coaster, skate board, roller skates, sled, toboggan, unicycle or toy vehicle upon which a person may ride.

(b) Does not include in-line skates.

(55) “Safety zone” means the area or space officially set apart within a roadway for the exclusive use of pedestrians, including those about to board or alighting from public conveyances, and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

(58) “Sidewalk” means that portion of a highway between the curb

lines, or the lateral lines of a roadway, and the adjacent property lines, constructed for use of pedestrians.

(68) “Traffic” means pedestrians, ridden or herded or driven animals, vehicles and other conveyances, either singly or together, while using any highway for the purpose of travel.

(75) “Yield the right-of-way” to a pedestrian means the operator of a vehicle is required to reduce speed, or stop if necessary, to avoid endangering, colliding with or interfering in any way with pedestrian travel.

346.02 Applicability of chapter.

(8) **APPLICABILITY TO PEDESTRIAN WAYS.** (a) All of the applicable provisions of this chapter pertaining to highways, streets, alleys, roadways and sidewalks also apply to pedestrian ways. A pedestrian way means a walk designated for the use of pedestrian travel.

(b) Public utilities may be installed either above or below a pedestrian way, and assessments may be made therefor as if such pedestrian way were a highway, street, alley, roadway or sidewalk.

346.12 Driving through safety zones prohibited. The operator of a vehicle shall not at any time drive through or over a safety zone when such safety zone is clearly indicated.

346.16 Use of controlled access highways, expressways and freeways. (2) (a) Except as provided in par. (b), no pedestrian or person riding a bicycle or other non-motorized vehicle and no person operating a moped or motor bicycle may go upon any expressway or freeway when official signs have been erected prohibiting such person from using the expressway or freeway.

(b) A pedestrian or other person under par. (a) may go upon a portion of a hiking trail, cross-country ski trail, bridle trail or bicycle trail incorporated into the highway right-of-way and crossing the highway if the portion of the trail is constructed under s. 84.06 (11).

346.17 Penalty for violating sections 346.04 to 346.16.

(1) Except as provided in sub. (5), any person violating s. . . 346.12 . . . may be required to forfeit not less than \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100 for the 2nd or subsequent conviction within a year.

(2) Any person violating ss. . . 346.16 may be required to forfeit not less than \$30 nor more than \$300.

346.18 General rules of right-of-way.

(7) **ENTERING ALLEY OR DRIVEWAY FROM HIGHWAY.**

(b) The operator of any vehicle crossing a sidewalk or entering an alley or driveway from a highway shall yield the right-of-way to any pedestrian, vehicle or conveyance on the sidewalk or in the alley or driveway.

346.22 Penalty for violating sections 346.18 to 346.21.

(1) (a) any person violating s.346.18 may be required to forfeit not less than \$20 nor more than \$50 for the first offense and not less than \$50 nor more than \$100 for the 2nd or subsequent conviction within a year.

RESPECTIVE RIGHTS AND DUTIES OF DRIVERS, PEDESTRIANS AND BICYCLISTS

346.23 Crossing controlled intersection or crosswalk.

(1) At an intersection or crosswalk where traffic is controlled by traffic control signals or by a traffic officer, the operator of a vehicle shall yield the right-of-way to a pedestrian, or to a person who is riding a bicycle in a manner which is consistent with the safe use of the crosswalk by pedestrians, who has started to cross the highway on a green or Walk signal and in all other cases pedestrians and bicyclists shall yield the right-of-way to vehicles lawfully proceeding directly ahead on a green signal. No operator of a vehicle proceeding ahead on a green signal may begin a turn at a controlled intersection or crosswalk when a pedestrian or bicyclist crossing in the crosswalk on a green or Walk signal would be endangered or interfered with in any way. The rules stated in this subsection are modified at intersections or crosswalks on divided highways or highways provided with safety zones in the manner and to the extent stated in sub. (2).

(2) At intersections or crosswalks on divided highways or highways provided with safety zones where traffic is controlled by traffic control signals or by a traffic officer, the operator of a vehicle shall yield the right-of-way to a pedestrian or bicyclist who has started to cross the roadway either from the near curb or shoulder or from the center dividing strip or a safety zone with the green or Walk signal in the pedestrians or bicyclists favor.

Pedestrians have right-of-way on green light only where there are no pedestrian control signals. City of Hartford v. Godfrey, 92 W (2d) 815, 286 NW (2d) 10 (Ct. App. 1979).

346.24 Crossing at uncontrolled intersection or crosswalk.

(1) At an intersection or crosswalk where traffic is not controlled by traffic control signals or by a traffic officer, the operator of a vehicle shall yield the right-of-way to a pedestrian, or to a person riding a bicycle in a manner which is consistent with the safe use of the crosswalk by pedestrians, who is crossing the highway within a marked or unmarked crosswalk.

(2) No pedestrian or bicyclist shall suddenly leave a curb or other place of safety and walk, run or ride into the path of a vehicle which is so close that it is difficult for the operator of the vehicle to yield.

(3) Whenever any vehicle is stopped at an intersection or crosswalk to permit a pedestrian or bicyclist to cross the roadway, the operator of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

346.25 Crossing at place other than crosswalk. Every pedestrian or bicyclist crossing a roadway at any point other than within a marked or unmarked crosswalk shall yield the right-of-way to all vehicles upon the roadway.

Section 891.44 provides an exception to this section and the standard instruction is not to be given when the pedestrian is a child under 7. Thoreson v. Milwaukee & S. Transport Corp. 56 W (2d) 231, 201 NW (2d) 745.

This section does not apply to bicyclists operating on the roadway and only applies to bicyclists acting as pedestrians by operating on sidewalks and within crosswalks. Chernetski v. American Family Mutual Insurance Co. 183 W (2d) 68, 515 NW (2d) 283 (Ct. App. 1994)

346.26 Blind pedestrian on highway. (1) An operator of a vehicle shall stop the vehicle before approaching closer than 10 feet to a pedestrian who is carrying a cane or walking stick which is white in color or white trimmed with red and which is held in an extended or raised position or who is using a dog guide and shall take such precautions as may be necessary to avoid accident or injury to the pedestrian. The fact that the pedestrian may be violating any of the laws applicable to pedestrians does not relieve the operator of a vehicle from the duties imposed by this subsection.

(2) Nothing in this section shall be construed to deprive any totally or partially blind person not carrying the white or the red and white cane or walking stick or not using a dog guide of the rights of other pedestrians crossing highways, nor shall the failure of such totally or partially blind pedestrian to carry such cane or walking stick or to use a dog guide be evidence of any negligence.

(3) No person who is not totally or partially blind shall carry or use on any street, highway or other public place any cane or walking stick which is white in color, or white trimmed with red.

346.27 Persons working on highway. The operator of a vehicle shall yield the right-of-way to persons engaged in maintenance or construction work on a highway whenever the operator is notified of their presence by flagmen or warning signs.

346.28 Pedestrians to walk on left side of highway; pedestrians and bicyclists on sidewalks. (1) Any pedestrian traveling along and upon a highway other than upon a sidewalk shall travel on and along the left side of the highway and upon meeting a vehicle shall, if practicable, move to the extreme outer limit of the traveled portion of the highway.

(2) Operators of vehicles shall yield the right-of-way to pedestrians and bicyclists on sidewalks as required by s. 346.47.

346.29 When standing or loitering in roadway or highway prohibited. (1) No person shall be on a roadway for the purpose of soliciting a ride from the operator of any vehicle other than a public passenger vehicle.

(2) No person shall stand or loiter on any roadway other than in a safety zone if such act interferes with the lawful movement of traffic.

(3) No person shall be on a bridge or approach thereto for the purpose of utilizing such bridge or approach for fishing or swimming when signs have been erected by the authority in charge of maintenance of the highway indicating that fishing or swimming off of such bridge or approach is prohibited.

346.30 Penalty for violating sections 346.23 to 346.29.

(1) (a) Any pedestrian violating s. 346.23, 346.24 (2), 346.25, 346.28 or 346.29 may be required to forfeit not less than \$2 nor more than \$20 for the first offense and not less than \$10 nor more than \$50 for the 2nd or subsequent conviction within a year. (b) 1. Unless otherwise provided in subd. 2., any operator of a vehicle violating s. 346.23 or 346.28 may be required to forfeit not less than \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100 for the 2nd or subsequent conviction within a year. 2. Any operator of a bicycle violating s. 346.23, 346.24 or 346.25 may be required to forfeit not more than \$20.

(2) Unless otherwise provided in sub. (1) (b) 2., any person violating s. 346.24 (1) or (3) may be required to forfeit not less than \$30 nor more than \$300.

(3) Any person violating s. 346.26 may be required to forfeit not less than \$25 nor more than \$200 for the first offense and may be required to forfeit not less than \$50 nor more than \$500 for the 2nd or subsequent conviction within a year.

(4) Any person violating s. 346.27 may be required to forfeit not less than \$60 nor more than \$600.

TRAFFIC SIGNS, SIGNALS AND MARKINGS

346.37 Traffic control signal legend. (1) Whenever traffic is controlled by traffic control signals exhibiting different colored lights successively, or with arrows, the following colors shall be used and shall indicate and apply to operators of vehicles and pedestrians as follows:

(a) *Green.* 1. Vehicular traffic facing a green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn, but vehicular traffic shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

2. Pedestrians, and persons who are riding bicycles in a manner which is consistent with the safe use of the crosswalk by pedestrians, facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

(b) *Yellow.* When shown with or following the green, traffic facing a yellow signal shall stop before entering the intersection unless so close to it that a stop may not be made in safety.

(c) *Red.* 1. Vehicular traffic facing a red signal shall stop before entering the crosswalk on the near side of an intersection, or if none, then before entering the intersection or at such other point as may be indicated by a clearly visible sign or marking and shall remain standing

until green or other signal permitting movement is shown.

2. No pedestrian or bicyclist facing such signal shall enter the roadway unless he or she can do so safely and without interfering with any vehicular traffic.

3. Vehicular traffic facing a red signal at an intersection may, after stopping as required under subd. 1., cautiously enter the intersection to make a right turn into the nearest lawfully available lane for traffic moving to the right or to turn left from a one way highway into the nearest lawfully available lane of a one way highway on which vehicular traffic travels to the left. No turn may be made on a red signal if lanes of moving traffic are crossed or if a sign at the intersection prohibits a turn. In making a turn on a red signal vehicular traffic shall yield the right-of-way to pedestrians and bicyclists lawfully within a crosswalk and to other traffic lawfully using the intersection.

(d) *Green arrow.* 1. Vehicular traffic facing a green arrow signal may enter the intersection only to make the movement indicated by the arrow but shall yield the right-of-way to pedestrians and bicyclists lawfully within a crosswalk and to other traffic lawfully using the intersection. When the green arrow signal indicates a right or left turn traffic shall cautiously enter the intersection.

2. No pedestrian or bicyclist facing such signal shall enter the roadway unless he or she can do so safely and without interfering with any vehicular traffic.

(2) In the event an official traffic signal is erected and maintained at a place other than an intersection, the provisions of this section are applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal

346.38 Pedestrian control signals. Whenever special pedestrian control signals exhibiting the words Walk or Don't Walk are in place, such signals indicate as follows:

(1) **WALK.** A pedestrian, or a person riding a bicycle in a manner which is consistent with the safe use of the crossing by pedestrians, facing a Walk signal may proceed across the roadway or other vehicular crossing in the direction of the signal and the operators of all vehicles shall yield the right-of-way to the pedestrian or bicyclist.

(2) **DON'T WALK.** No pedestrian or bicyclist may start to cross the roadway or other vehicular crossing in the direction of a Don't Walk signal, but any pedestrian or bicyclist who has partially completed crossing on the Walk signal may proceed to a sidewalk or safety zone while a Don't Walk signal is showing.

346.43 Penalty for violating sections 346.37 to 346.42.

(1) (a) Any pedestrian violating s. 346.37 or 346.38 may be required to forfeit not less than \$2 nor more than \$20 for the first offense and not less than \$10 nor more than \$50 for the 2nd or subsequent conviction within a year.

(b) 1. Unless otherwise provided in subd. 2. or 3., any operator of a vehicle violating ss. 346.37 to 346.39 may be required to forfeit not less than \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100 for the 2nd or subsequent conviction within a year.

2. Any operator of a bicycle violating s. 346.37, 346.38 or 346.39 may be required to forfeit not more than \$20.

3. If an operator of a vehicle violates s. 346.37 or 346.39 where persons engaged in work in a highway maintenance or construction area are at risk from traffic, any applicable minimum and maximum forfeiture specified in subd. 1. for the violation shall be doubled.

346.46 Vehicles to stop at stop signs and school crossings.

(2m) Every operator of a motor vehicle approaching a school crossing which is controlled by an adult school crossing guard appointed under s. 120.13 (31) or 349.215 shall follow the directions of the school crossing guard. If directed by the school crossing guard to stop, the operator shall stop the vehicle not less than 10 feet nor more than 30

feet from the school crossing and shall remain stopped until the school crossing guard directs the operator to proceed.

346.465 Owners liability for vehicle illegally crossing controlled school crossing. (1) The owner of a vehicle involved in a violation of s.346.46 (2m) shall be liable for the violation as provided in this section

346.47 When vehicles using alley or non-highway access to stop.

(1) The operator of a vehicle emerging from an alley or about to cross or enter a highway from any point of access other than another highway shall stop such vehicle immediately prior to moving on to the sidewalk or on to the sidewalk area extending across the path of such vehicle and shall yield the right-of-way to any pedestrian or bicyclist and upon crossing or entering the roadway shall yield the right-of-way to all vehicles approaching on such roadway.

346.48 Vehicles to stop for school buses displaying flashing lights.

(1) The operator of a vehicle which approaches from the front or rear any school bus which has stopped on a street or highway when the bus is equipped according to s. 347.25 (2) and when it is displaying flashing red warning lights, shall stop the vehicle not less than 20 feet from the bus and shall remain stopped until the bus resumes motion or the operator extinguishes the flashing red warning lights. The operator of any school bus which approaches from the front or rear any school bus which has stopped and is displaying flashing red warning lights shall display its flashing red lights while stopped. This subsection does not apply to operators of vehicles proceeding in the opposite direction on a divided highway.

(3) If the operator of a motor vehicle overtakes a school bus which is stopped and is loading or unloading pupils or other authorized passengers at an intersection on the right side of a roadway in a business or residence district in which the display of the flashing red warning lights on the school bus is not permitted, the operator shall pass at a safe distance to the left of the school bus and shall not turn to the right in front of the school bus at that intersection.

346.485 Owners liability for vehicle illegally passing school bus. (1) The owner of a vehicle involved in a violation of s. 346.48 (1) shall be liable for the violation as provided in this section.

346.49 Penalty for violating ss. 346.44 to 346.485.

(1) (a) Unless otherwise provided in par. (b) or (c), any person violating s. 346.46 or 346.47 may be required to forfeit not less than \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100 for the 2nd or subsequent conviction within a year.

(b) Any operator of a bicycle violating s. 346.46 may be required to forfeit not more than \$20.

(c) If an operator of a vehicle violates s. 346.46 (1) where persons engaged in work in a highway maintenance or construction area are at risk from traffic, any applicable minimum and maximum forfeiture specified in par. (a) for the violation shall be doubled.

(1m) A vehicle owner or other person found liable under s. 346.465 may be required to forfeit not less than \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100 for the 2nd or subsequent conviction within a year. Imposition of liability under s. 346.465 shall not result in suspension or revocation of a persons operating license under s. 343.30, nor shall it result in demerit points being recorded on a persons driving record under s. 343.32 (2) (a).

(2) (a) Unless otherwise provided in par. (b), any person violating s. 346.44, 346.45, 346.455 or 346.48 may be required to forfeit not less than \$30 nor more than \$300.

(b) Any operator of a bicycle violating s. 346.44 may be required to forfeit not more than \$20.

(3) A vehicle owner or other person found liable under s. 346.485 or 346.457 may be required to forfeit not less than \$30 nor more than \$300. Imposition of liability under s. 346.485 or 346.457 shall not result in suspension or revocation of a persons operating license under s. 343.30, nor shall it result in demerit points being recorded on a persons driving record under s. 343.32 (2) (a).

346.52 Stopping prohibited in certain specified places. (1) No person shall stop or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, in any of the following places:

- (a) Within an intersection;
 - (b) On a crosswalk;
 - (c) Between a safety zone and the adjacent curb, or within 15 feet of a point on the curb immediately opposite the end of a safety zone unless a different distance is clearly indicated by an official traffic sign or marker or parking meter;
 - (d) On a sidewalk or sidewalk area, except when parking in such place is clearly indicated by official traffic signs or markers or parking meters
- (1m)** Notwithstanding sub. (1) (a) and (b), if snow accumulation at the usual bus passenger loading area makes it difficult to load or discharge bus passengers, the driver may stop a motor bus to load or discharge passengers on a crosswalk at an intersection where traffic is not controlled by a traffic control signal or a traffic officer.

(2) During the hours of 7:30 a.m. to 4:30 p.m. during school days, no person may stop or leave any vehicle standing, whether temporarily or otherwise, upon the near side of a through highway adjacent to a schoolhouse used for any children below the 9th grade. If the highway adjacent to the schoolhouse is not a through highway, the operator of a vehicle may stop upon the near side thereof during such hours, provided such stopping is temporary and only for the purpose of receiving or discharging passengers. This subsection shall not apply to villages, towns or cities when the village or town board or common council thereof by ordinance permits parking of any vehicle or of school buses only on the near side of specified highways adjacent to schoolhouses during specified hours.

346.53 Parking prohibited in certain specified places.

No person shall stop or leave any vehicle standing in any of the following places except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers and while the vehicle is attended by a licensed operator so that it may promptly be moved in case of an emergency or to avoid obstruction of traffic:

- (5)** Closer than 15 feet to the near limits of a crosswalk;

346.56 Penalty for violating sections 346.503 to 346.55.

(1m) Any person violating s. 346.52 to 346.54 or 346.55 (3) or (4) may be required to forfeit not less than \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100 for the 2nd or subsequent conviction within a year.

346.57 Speed restrictions.

(2) REASONABLE AND PRUDENT LIMIT. No person shall drive a vehicle at a speed greater than is reasonable and prudent under the conditions and having regard for the actual and potential hazards then existing. The speed of a vehicle shall be so controlled as may be necessary to avoid colliding with any object, person, vehicle or other conveyance on or entering the highway in compliance with legal requirements and using due care.

(3) CONDITIONS REQUIRING REDUCED SPEED. The operator of every vehicle shall, consistent with the requirements of sub. (2), drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hillcrest, when traveling upon any narrow or winding roadway, when passing school children, highway construction or maintenance workers or other pedestrians, and when special hazard exists with regard to other traffic or by reason of weather or highway conditions.

(4) FIXED LIMITS. In addition to complying with the speed restrictions imposed by subs. (2) and (3), no person shall drive a vehicle at a speed in excess of the following limits unless different limits are indicated by official traffic signs:

- (a) 15 miles per hour when passing a schoolhouse at those times when children are going to or from school or are playing within the sidewalk

area at or about the school.

- (b) 15 miles per hour when passing an intersection properly marked with a school crossing sign of a type approved by the department when children are present.

- (c) 15 miles per hour when passing a safety zone occupied by pedestrians and at which a public passenger vehicle has stopped for the purpose of receiving or discharging passengers.

- (d) 15 miles per hour in any alley.

- (e) 25 miles per hour on any highway within the corporate limits of a city or village, other than on highways in outlying districts in such city or village.

- (i) 15 miles per hour on any street or town road, except a state trunk highway or connecting highway, within, contiguous to or adjacent to a public park or recreation area when children are going to or from or are playing within such area, when the local authority has enacted an ordinance regulating such traffic and has properly marked such area with official traffic control devices erected at such points as said authority deems necessary and at those points on the streets or town roads concerned where persons traversing the same would enter such area from an area where a different speed limit is in effect.

346.60 Penalty for violating sections 346.57 to 346.595.

- (2)** (a) Except as provided in sub. (3m) or (5), any person violating s. 346.57 (4) (d) to (g) may be required to forfeit not less than \$30 nor more than \$300.

- (3)** Except as provided in sub. (3m) or (5), any person violating s. 346.57 (2), (3) or (4) (a) to (c) may be required to forfeit not less than \$40 nor more than \$300 for the first offense and may be required to forfeit not less than \$80 nor more than \$600 for the 2nd or subsequent conviction within a year.

- (3m)** If an operator of a vehicle violates s. 346.57 (2), (3) , (4) (d) to (h) . where persons engaged in work in a highway maintenance or construction area are at risk from traffic, any applicable minimum and maximum forfeiture specified in sub. (2) or (3) for the violation shall be doubled.

- (4)** Any person violating s. 346.595 may be required to forfeit not less than \$30 nor more than \$300.

- (5)** (a) Any operator of a bicycle who violates s. 346.57 may be required to forfeit not more than \$20.

BICYCLES AND PLAY VEHICLES

346.77 Responsibility of parent or guardian for violation of bicycle and play vehicle regulations. No parent or guardian of any child shall authorize or knowingly permit such child to violate any of the provisions of ss. 346.78 to 346.804 and 347.489.

346.78 Play vehicles not to be used on roadway. No person riding upon any play vehicle may attach the same or himself or herself to any vehicle upon a roadway or go upon any roadway except while crossing a roadway at a crosswalk.

346.804 Riding bicycle on sidewalk. When local authorities under s. 346.94 (1) permit bicycles on the sidewalk, every person operating a bicycle upon a sidewalk shall yield the right-of-way to any pedestrian and shall exercise due care and give an audible signal when passing a bicycle rider or pedestrian proceeding in the same direction.

346.94 Miscellaneous prohibited acts. (1) DRIVING ON SIDEWALK. The operator of a vehicle shall not drive upon any sidewalk area except at a permanent or temporarily established driveway unless permitted to do so by the local authorities.

(17) INLINE SKATES ON ROADWAY. (a) A person riding upon in-line skates may go upon any roadway under the jurisdiction of a local authority, subject to any restrictions specified by municipal ordinance enacted under s. 349.235.

- (b) Any person riding upon in-line skates upon any roadway shall ride in a careful and prudent manner and with due regard under the circumstances for the safety of all persons using the roadway.

- (c) Notwithstanding any other provision of this subsection or s.

349.235, no person riding upon in-line skates may attach the in-line skates or himself or herself to any vehicle upon a roadway or, except while crossing a roadway at a crosswalk, go upon any roadway under the jurisdiction of the department.

346.95 Penalty for violating sections 346.87 to 346.94. (1) Any person violating s. . . . 346.94 (1),. . . may be required to forfeit not less than \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100 for the 2nd or subsequent conviction within a year.

(6) Any person violating s. 346.94 (17) may be required to forfeit not less than \$10 nor more than \$20 for the first offense and not less than \$25 nor more than \$50 for the 2nd or subsequent conviction within a year.

349.185 Authority to regulate certain events and pedestrians.

The authority in charge of the maintenance of a highway may by order, ordinance or resolution:

(1) Regulate community events or celebrations, processions or assemblages on the highways, including reasonable regulations on the use of radios or other electric sound amplification devices, subject to s. 84.07(4)

(2) Regulate the traffic of pedestrians upon highways within its jurisdiction, including the prohibition of pedestrian crossings at places otherwise permitted by law and the erection of signs indicating such prohibition.

349.20 Authority to prohibit use of bridges for fishing or swimming. The authority in charge of maintenance of a highway on which is located a bridge or approach thereto which constitute an undue traffic hazard, if used by pedestrians for the purpose of fishing or swimming, may erect signs prohibiting the fishing or swimming off of such bridge or approach.

349.235 Authority to restrict use of in-line skates on roadway.

(1) The governing body of any city, town, village or county may by ordinance restrict the use of in-line skates on any roadway under its jurisdiction. No ordinance may restrict any person from riding upon in-line skates while crossing a roadway at a crosswalk.

(2) The department of natural resources may promulgate rules designating roadways under its jurisdiction upon which in-line skates may be used, except that no rule may permit a person using in-line skates to attach the skates or himself or herself to any vehicle upon a roadway.